

22
1/8/01
JK

RE: BRADY L. DAVIS, PRO. SE. BX-3685

S.C.I. COALTOWNSHIP, 1. Kelley Drive, CoalTownship Pa 17866-1021
IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT COURT:

FILED
HARRISBURG

BRADY L. DAVIS	CIVIL ACTION	
Vs. Plaintiff	NO: 1:00-CV-00543	JAN 5 - 2001
FRANK D. GILLIS, et.al.	JURY TRIAL DEMANDED	MARY E. D'ANDREA, CLERK
Defendant(s)	HONORABLE JUDGE RAMBO	Per <u>JPG</u> DEPUTY CLERK

PLAINTIFF'S AFFIDAVIT AND ANSWER TO THE ATTORNEY OF RECORD CLAIMS THAT THE
PLAINTIFF DID NOT REQUEST MONEY DAMAGES FROM DEPARTMENT OF CORRECTIONS

Now comes, the Plaintiff Brady L. Davis, before this Honorable Court and its
Judges, and the Honorable Sylvia H. Rambo.

On or about the date of December 14, 2000, Defendant's Attorney of Record, Mr.
Alan S. Gold, Esq. Filed a Reply Brief for one of the Defendant's Doctor Joseph
Kort, M.D., The Attorney Mr. Gold, Claims that the Plaintiff did not ask for Money
Damages, but as the Court can see in the Policy of the Department of Corrections
DC-ADM 804-4

This Cause of Action should not be dismissed because of the fact or Claims
of the Defendant's Attorneys of Record.

Brady Davis
BRADY L. DAVIS, PRO. SE. BX-3685

WITNESS:

Calvin Camps Q8345
CALVIN CAMPS, PRO. SE. CQ8345

DATED: JANUARY 2, 2001

RE: BRADY L. DAVIS, PRO.SE.BX-3685

S.C.I. COALTOWNSHIP

1. Kelley Drive, COALTOWNSHIP

PA 17866-1021

MARCH 1, 2000, The Plaintiff filed a Civil Rights Violation Complaint on the Named Defendants as to the Violations which made out in the Complaint as to each named Party and what part that each person did to him while he has been in the Department of Corrections here at S.C.I. CoalTownship.

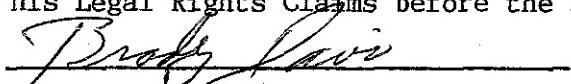
The Defendant Attorney for Correctional Physician Services Inc., and its Agents and Servants has filed his Brief on behalf of Doctor Joseph Kort.

Mr. Alan S. Gold, Esq. has Stated to the Court that the Plaintiff has not made out a Cause of Action as to his Constitutional Rights being Violated and as to his Complaint to this Honorable Court and its Honorable Judges.

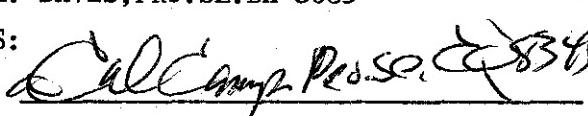
As the Court can see from the face of the Complaint the Plaintiff has made out a Cause of many Actions as to the Statutes which the Plaintiff said was Violated under 42 U.S.C. § 1981, 42 U.S.C. § 1983, 42 U.S.C. § 1985 and 42 U.S.C. § 1986 also his Claims deal with the fact that his Eighth and Fourteenth Amendment Rights have been Violated by State Agents and Servants its Contractors Servants and Employees Wrongs, Which is Stated in the Complaint to this Honorable Court and the Honorable Judge Sylvia H. Rambo.

As this Honorable Court can see from the Attached Documents from the Department of Corrections, it does not State that an Inmate has to file with the Department of Corrections for Money Damages before he can file any Constitutional Rights Violations Claims with the United States District Court for the Federal Court to take Action as to the Violations of State and Federal Rights Violations, It said under the Policy of the Department of Corrections Policy DC-ADM 804-4

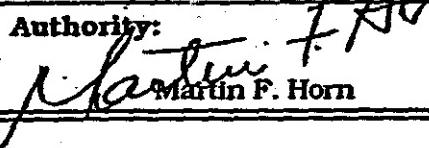
The Plaintiff has not been given any Notice that he would have to file to the Department of Corrections Grievance System Officials, or He could not bring his Legal Rights Claims before the Federal Courts.


BRADY L. DAVIS, PRO.SE.BX-3685

WITNESS:


CALVIN CAMPS, PRO.SE.CQ8345

DATED: JANUARY 2, 2000

		Bulletin Commonwealth of Pennsylvania • Department of Corrections	
To: Executive Staff Superintendents CCC Regional Directors Boot Camp Commander		Policy Subject: Consolidated Inmate Grievance Review System	
		Policy Number: DC-ADM 804-4	
		Policy Issue Date: July 20, 1994	
Date of Issue: April 29, 1998	Authority:  Martin F. Horn	Effective Date: May 1, 1998	

The purpose of this bulletin is to amend the section VI. Procedures, A.4. to read,

"All grievances and appeals must be presented in good faith. They shall include a brief statement of the facts relevant to the claim. The text must be legible and presented in a courteous manner. The Grievant should identify any persons who may have information which could be helpful in resolving the grievance. The Grievant may specifically raise any claims concerning violations of Department of Corrections directives, regulations, court orders, or other law. The Grievant may also include a request for compensation or other legal relief normally available from a court. The inmate may request to be personally interviewed at initial review. Any inmate who submits a grievance containing false information may be subject to disciplinary action." ~~or if the inmate has not already completed the grievance, may request compensation or legal relief on appeal to the Board.~~

And to amend Section VI. Procedures, B. Initial Review, 2. to read:

"Grievances must be submitted for initial review to the Facility/Regional Grievance Coordinator within fifteen (15) days after the events upon which the claims are based. Extensions of this time period may be granted by the Facility Manager/Regional Director for good cause. Such extensions will normally be granted if the events complained of would state a claim of violation of federal right."

RE: BRADY L. DAVIS, PRO SE BX-3685

S.C.I. COALTOWNSHIP, 1. Kelley Drive, CoalTownship Pa 17866-1021
IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT COURT:

Brady L. Davis

CIVIL ACTION

Vs. Plaintiff

NO: 1:00-CV-00543

FRANK D. GILLIS, et.al.

JURY TRIAL DEMANED

Defendant(s)

HONORABLE JUDGE RAMBO

PLAINTIFF'S CASE LAW IN SUPPORT OF HIS CAUSE ACTIONS BEFORE THE COURT:

MEDIACL TREATMENT:

DURMER Vs. O'CARROLL, 991 F.2d 64, 68-69 (3d Cir. 1993)

(Holding that Non Medical Reasons could constitute deliberate indifference);

MILLER Vs. CORRECTIONAL MEDICAL SYSTEM, INC., 802 F. SUPP 1126, 1132 (D.Del. 1992)

This means that if you have been injured by the Doctor's deliberate indifference of Doctor or other Employess of such Corporation, you have to sue them as individually. (6th Cir. 1993) (up holding Judgment against employee and dismissal of claims against Corporation in district court.)

RE: BRADY L. DAVIS, PRO.SE.BX-3685

S.C.I. COALTOWNSHIP

1. Kelley Drive, COALTOWNSHIP

PA 17866-1021

CERTIFICATE OF SERVICE

I, Brady L. Davis, hereby certify that I have sent a true and correct copy of the Plaintiff's Affidavit of Exhaustion of Administrative Remedies, to the Named Parties of Record First Class U.S. MAIL, On the date of December , 2000.

SERVICED:

MR. ALAN S. GOLD, Esq. Attorney at Law
MONAGHAN & GOLD, P.C.
MANOR PROFESSIONAL BUILDING
7837 OLD YORK ROAD, ELKINS PARK PA 19027

MR. MICHAEL A. FAENAN, Deputy Attorney General
STRAWBERRY SQUARE, 15th Floor
HARRISBURG, PA 17120

Brady Davis
BRADY L. DAVIS, PRO.SE.BX-3685

WITNESS:

Calvin Camps ESQ
CALVIN CAMPS, PRO.SE.CQ8345

DATED: JANUARY 2, 2001